

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Implementation of the Commercial)	MB Docket No. 11-93
Advertisement Loudness Mitigation)	
(CALM) Act)	

Filed Electronically via ECFS
Attention: Chief, Media Bureau

STREAMLINED FINANCIAL HARDSHIP WAIVER CERTIFICATION

Denver Digital Television, LLC (“DDT”) hereby certifies that Class A Television Station KSBS-LP, Facility ID 67532, Denver, Colorado, requires a one-year delay to comply with the provisions of the Commercial Advertisement Loudness Mitigation Act (“CALM Act”) and requests waiver of the December 13, 2012 deadline for compliance.¹ While it does not appear that Class A television stations are subject to CALM Act compliance requirements because they are not licensed under Subpart E of Part 73 (*see* Footnote 17 of *Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act*, 26 FCC Rcd 178222 (2011) (*Order*)), DDT is filing this request in the event the Commission nonetheless considers Class A television subject to the CALM Act.

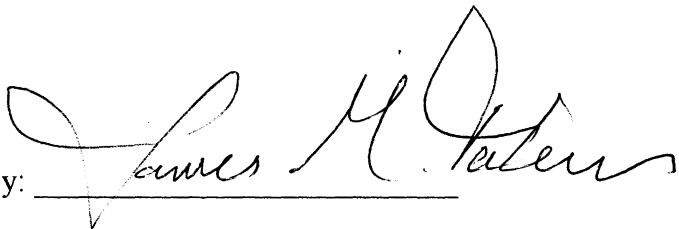
DDT requests waiver for KSBS-LP as a “small broadcast station” within the meaning of the *Order*. DDT must certify that it qualifies as a “small broadcast station” and that it requires a

¹ DDT current has an application pending before the Media Bureau to relocate Class A status from KSBS-LP to KSBS-LD. Upon grant, the subject waiver should attach to KSBS-LD, Facility ID 168750 (Denver, Colorado).

delay of one year to obtain equipment to avoid financial hardship. The attached Certification of David M Drucker, Manager, certifies that KSBS-LP satisfies the definition of "small broadcast station" by having less than \$14 million in gross annual receipts, including that station and the other stations operated by the licensee.

Accordingly, DDT requests a one-year waiver for KSBS-LP to comply with the CALM Act.

Respectfully submitted:

By: 

James M. Talens
Counsel for Denver Digital Television, LLC

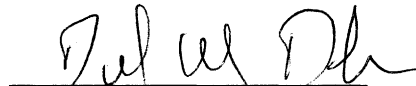
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December 13, 2012

CERTIFICATION OF DAVID M DRUCKER

David M Drucker hereby certifies that:

1. I am Manager of Denver Digital Television, LLC ("DDT").
2. DDT is the licensee of Class A television station KSBS-LP, Denver, Colorado. It is also the licensee of KSBS-LD.
3. During 2011, DDT had less than \$14 million in annual gross receipts from all of its stations combined, including all interests in affiliated stations. Moreover, DDT's annual gross receipts for 2012 will also be less than \$14 million for all stations combined.
4. I estimate that to achieve CALM Act compliance for KSBS-LP DDT will need to spend at least \$6000 for all related hardware, software and labor. This is a substantial part of the entire monthly operating budget for the station.
5. Therefore, DDT requests a one-year waiver of the December 13, 2012 compliance deadline.



David M. Drucker

December 13, 2012